

Applicants: Francesco Salituro et al.  
Application No.: 10/035,823

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REMARKS

The Response

The previous Quayle action in the instant application has been withdrawn. However, in a new Quayle action, the Examiner suggests that applicants perfect the Oath/Declaration filed on June 2, 2005. The Examiner has also considered applicant's arguments but found them unpersuasive. Specifically, the Examiner asserts that applicant's amendment to claim 1 does not effectively remove 5-7 membered aromatic or non-aromatic carbocyclic ring (e.g., a phenyl ring) from the claimed subject matter. Further, the Examiner would like clarification whether claims 4-15 or claims 2-15 have been canceled. Applicants address each objection in turn below.

Applicants assert that the Oath/Declaration filed on June 2, 2005 is not defective. Each of the inventors has signed and dated this document over their respective addresses and citizenship status. Applicants therefore request that the Examiner accept the June 2, 2005 Oath/Declaration as filed.

Applicants traverse the Examiner's assertion that claim 1 still recites a 5-7 membered carbocyclic ring for substituent Q<sup>1</sup>. In the response filed on September 30, 2004, the relevant part of claim 1 was amended as follows:

"Q<sub>1</sub> is a C<sub>1</sub>-C<sub>6</sub> straight chain or branched alkyl or alkenyl group; a 5-7 membered aromatic or non-aromatic carbocyclic or heterocyclic ring; or a 9-14 membered bicyclic or tricyclic aromatic or non-aromatic carbocyclic or heterocyclic ring system..."

As the term "carbocyclic," when referring to a 5-7 membered ring, has been deleted in the amended claim, it is clear that claim 1 does not recite 5-7 membered carbocyclic rings. Rather, claim 1 recites a 5-7 membered aromatic or non-aromatic *heterocyclic ring*. Therefore, applicants request that the Examiner withdraw this objection.

Finally, regarding the canceled claims, applicant's statement in the September 30<sup>th</sup> response that claims 4-15 and 25-27 were canceled was erroneous. Applicants inadvertently recited "claims 4-15 and 25-27" instead of "claims 2-15 and 25-27," as intended. Thus, the canceled claims are 2-15 and 25-27, as indicated in the claim amendments presented in that response.

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Conclusion

Applicants request that the Examiner consider the matters discussed above, withdraw the new Quayle action, and allow the claims to pass to issue. Should the Examiner deem expedient a telephone discussion to further the prosecution of the above application, applicants request that the Examiner contact the undersigned.

Respectfully submitted,



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